

LETTER OF INTENT



This application proposes the rezoning of a 4.61 acre tract of land from the C-1 and R-100 zoning district to the PC-2 zoning district. The entire property will remain in the Peachtree-Brookhaven Overlay District. The rezoning will enable the redevelopment of the vacant Hastings nursery site and the Kaufman Tire property with a mixed use development contributing 272 multifamily units over one level of commercial use contributing 17,695 square feet and fronting on Peachtree Road. Currently only the rear portion of the site is zoned R-100. The applicant intends to utilize this area for stormwater management and public open space in the form of a passive park. The required buffer abutting the R-100 property to the rear will be observed.

Below are the responses to the required criteria from the City of Brookhaven Zoning Ordinance.

1. Is the zoning proposal in conformity with the policy and intent of the comprehensive plan?

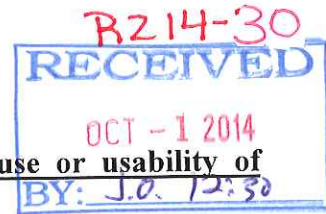
The comprehensive plan currently designates the property as Town Center. The PC-2 district is consistent with the comprehensive plan. The property is also identified as being located in the Peachtree Corridor Overlay District in the 2034 comprehensive plan which recommends densities of 12-120 units per acre and building heights of 3-8 stories. At just under 60 units per acre and 6 stories, the project is consistent with the Peachtree Corridor Overlay District recommendations as well.

2. Will the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby properties?

The adjacent and nearby properties along Peachtree Road are primarily developed with commercial uses. The adjacent property at the rear is developed with single family residential uses. The redevelopment of the existing nursery and automotive repair uses into a mixed use project is consistent with the trend of developments in this corridor and complements the existing mix of uses in the area. The passive park at the rear of the site respects the transition to single family.

3. Will the affected property of the zoning proposal have a reasonable economic use as currently zoned?

Redevelopment of the site with a use permitted by the C-1 and R-100 zoning districts is not compatible with the mixed use vision for this corridor. Although there may be an economic use for the property as currently zoned, encouraging development under the existing zoning would be inconsistent with the Brookhaven Peachtree Overlay District vision and the emerging revitalization of this corridor.



4. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?

The proposal will enhance nearby properties by providing an active 24 hour use that complements both the residential uses in the area and the commercial uses in the area. Further the passive park at the rear will mitigate any impact of the project on the single family homes at the rear.

5. Are other existing or changing conditions affecting the existing use or usability of the development of the property which give supporting grounds for either approval or disapproval of the zoning proposal?

The subject property has been vacant for several years and needs redevelopment. This area would benefit by the removal of a vacant nursery and an existing automotive tire repair shop and replacement with a vertically integrated mixed use project that is consistent with current market trends.

6. Will the zoning proposal adversely affect historic buildings sites districts, or archaeological resources?

There are no historic buildings or sites, nor are there archeological resources impacted by redevelopment of the property as proposed by this application.

7. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?

The change in zoning will not cause an excessive or burdensome use of existing streets, transportation facilities or utilities. Conversely, the addition of a residential use on the property will help mitigate the impact through differing peaks from the commercial use. There will be an impact on schools, however based on the type of multifamily proposed, the impact is expected to be minimal.